



## CSD *News Release*

**December 10, 2002**

### **BEFORE YOU BUY, CHECK STORE'S RETURN POLICY**

It is a common misconception that whenever a customer returns merchandise, the store has an obligation to take it back and to give back the customer's money. There is no such automatic right of return.

The law provides that every store has the right to determine its own return policy. This can be, and sometimes is, a policy of 'No returns, exchanges or refunds' or some permutation of that policy.

However, the law does seek to protect consumers, by prescribing that the return policy must be clearly posted at the point of sale.

Where there is no such posting, the consumer has the right to return the merchandise within seven days, as long as it has not been used, has not been damaged, is not perishable, was not custom made, is in the original packaging, and it is not a commodity whose return is specifically prohibited by law.

However, notes Miami-Dade County Consumer Advocate, Leonard Elias, this does not apply where the store is clearly guilty of misrepresentation or the item is defective. In those cases the customer can return the goods regardless of the store's return policy, he says.

"Knowing a business's refund and exchange policy up front can save consumers big hassles and headaches," says Elias, and he advises that consumers check the policy before making a purchase.

"It's also very wise," he says, "for consumers to save their receipts and to make sure that every receipt has the date of sale, the price, a description of the merchandise, and the name and address of the store."

To report a problem, call the Miami-Dade County Consumer Services Department (CSD) Consumer Hotline at (305) 375-3677.

For more holiday shopping tips visit the CSD website at [www.miamidade.gov/csd/](http://www.miamidade.gov/csd/).

**MEDIA CONTACT INFORMATION:**

**Patrick Smikle, Public Information Officer; (305) 375-5745;**

**Email: [smiklep@miamidade.gov](mailto:smiklep@miamidade.gov)**

**Leonard Elias, Consumer Advocate; (305) 375-4199; Email: [le28@miamidade.gov](mailto:le28@miamidade.gov)**

**Mario Goderich; Director, Consumer Protection Division; (305) 375-4193, Email: [mg3836@miamidade.gov](mailto:mg3836@miamidade.gov)**

**Cathy Grimes Peel, Deputy Director, CSD; (305) 375-4666; Email: [cpeel@miamidade.gov](mailto:cpeel@miamidade.gov)**

*The Miami Dade Consumer Services Department is an agency of Miami-Dade County government that protects consumers through complaint mediation, business regulation, and consumer education. The Department operates the Consumer Hotline (305) 375-3677, a central telephone number for consumer complaints and information.*